

# HOUSE BILL No. 1701

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-14-7-6.

**Synopsis:** Willard Library governance. Allows a county library board to levy a tax for certain public libraries.

**Effective:** July 1, 2005.

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**Avery, Becker**

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January 19, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1701

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-14-7-6 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) For any public  
3       library established:

4           (1) by private donation;

5           (2) in a city having a population of more than one hundred twenty  
6           thousand (120,000) but less than one hundred fifty thousand  
7           (150,000);

8           (3) that contains at least twenty-five thousand (25,000) volumes;

9           (4) that has real property valued at at least one hundred thousand  
10          dollars (\$100,000); and

11          (5) that is open and free to the residents of the city;

12       a tax shall be levied and collected annually by the city according to  
13       IC 6-1.1.

14       (b) The city legislative body, **the trustees of the library, and the**  
15       **county library board established under this article in the county**  
16       **containing the city described in subsection (a)(2) may enter into an**  
17       **agreement and pass a resolution allowing the county library board**

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1 to levy the tax required under subsection (a).

2 (c) The city or, if a resolution is passed under subsection (b), the  
3 county library board shall levy the tax required under subsection (a)  
4 in an amount not less than sixty-seven hundredths of one cent  
5 (\$0.0067) ~~nor or~~ more than one and sixty-seven hundredths cents  
6 (\$0.0167) upon each one hundred dollars (\$100) of the assessed  
7 valuation of all the real and personal property in the city. ~~When the city~~  
8 ~~levies this tax, it shall be treated as if it was a public library for~~  
9 ~~purposes of IC 6-1.1-18.5-13, and it may increase its levy to the same~~  
10 ~~extent as a public library under that section.~~

11 (d) If a resolution is passed under subsection (b), the trustees of  
12 the library shall annually submit a proposed budget to the county  
13 library board. The county library board shall review the proposed  
14 budget and seek approval of the city legislative body prior to  
15 levying the tax.

16 ~~(c)~~ (e) The tax shall be paid to the trustees of the library, and the  
17 trustees shall expend the tax for the support, operation, and  
18 maintenance of the library **described in this section**. The trustees shall  
19 keep the tax separate from all other funds. The trustees shall record the  
20 amount of taxes received, to whom and when paid out, and for what  
21 purpose in a book kept by them. The trustees shall make an annual  
22 report of these matters to the legislative body of the city.

23 (f) For purposes of the property tax levy limits under  
24 IC 6-1.1-18.5, if the county library board, under a resolution  
25 adopted under subsection (b), levies the tax required under  
26 subsection (a), the levy imposed under this section shall not be  
27 included in the calculation of the maximum permissible property  
28 tax levy for the public library.

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